

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

B.P.J. by her next friend and mother, HEATHER JACKSON,

*Plaintiff,*

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

*Defendants,*

and

LAINEY ARMISTEAD,

*Defendant-Intervenor.*

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

**NOTICE OF WITHDRAWAL OF COUNSEL**

Pursuant to Local Rule of Civil Procedure 83.4(a), kindly withdraw my appearance as counsel for the State of West Virginia (“WV”). My last day with the Office of the West Virginia Attorney General is July 22, 2022 and I will no longer be able to provide representation to WV in connection with this matter.

Accordingly, Defendant, WV respectfully requests that:

- (a) David C. Tryon’s representation of WV in this matter be deemed withdrawn and terminated;

- (b) The Clerk remove David C. Tryon from the active CM/ECF service list in this matter; and,
- (c) Douglas P. Buffington II and Curtis R. A. Capehart shall remain as counsel of record for the State of West Virginia.

Respectfully submitted,

PATRICK MORRISEY  
*West Virginia Attorney General*

/s/ David C. Tryon  
Douglas P. Buffington II (WV Bar # 8157)  
*Chief Deputy Attorney General*  
Curtis R.A. Capehart (WV Bar # 9876)  
*Deputy Attorney General*  
David C. Tryon (WV Bar #14145)  
*Deputy Solicitor General*  
OFFICE OF THE WEST VIRGINIA ATTORNEY  
GENERAL  
State Capitol Complex  
1900 Kanawha Blvd. E, Building 1, Room E-26  
Charleston, WV 25305-0220  
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*Counsel for Defendant, STATE OF WEST VIRGINIA*

DATE: July 22, 2022

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CIVIL ACTION NO. 2:21-cv-00316

Judge Joseph R. Goodwin

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH, in his official Capacity as State Superintendent, DORA STUTLER, in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

*Defendants.*

**CERTIFICATE OF SERVICE**

and LAINEY ARMISTEAD,

*Intervenor Defendant.*

I hereby certify that, on this 22<sup>nd</sup> day of July, 2022, I electronically filed the foregoing with the Clerk of Court and all parties using the CM/ECF System.

/s/ David C. Tryon  
David C. Tryon